

The Daily Astorian

Established 1873.

Published Daily Except Monday by THE J. S. DELLINGER CO.

SUBSCRIPTION RATES.

By mail, per year \$7.00
By carrier, per month60

WEEKLY ASTORIAN.

By mail, per year, in advance..... \$1.50

Entered as second-class matter July 30, 1906, at the postoffice at Astoria, Oregon, under the act of Congress of March 3, 1879.

Orders for the delivering of The Morning Astorian to either residence or place of business may be made by postal card or through telephone. Any irregularity in delivery should be immediately reported to the office of publication.

TELEPHONE MAIN 661.

THE WEATHER

Oregon and Washington—Occasional rain; colder in the east portions.

OUR NEW JUDGE.

One of the first duties of Governor Benson, of Oregon, will be the appointment of a circuit judge for this, the Fifth Judicial District of the State; and we cannot forego the opportunity of insisting that His Excellency use extraordinary care in naming the man who is to work with the veteran now on this bench and that the appointee be of the calibre and substance of which judges are made. We need the best and solidest sort of man in this relation; we are used to sound and effective work in this department and it were an imposition to ask us to accept anything very much short of the real thing we already possess; and equally an imposition upon the man for whom the relief is sought.

A judgeship is no place for a try-out; it demands the seasoned service and experience of a man who has been a worker and deliver in the courts; to whom the law is an open book and whose opinions are worth something when they are rendered. To the end that the Fifth District may have such a judge we think the Governor should confer with the bars at interest, and especially the bar of Clatsop county. They are the source of all reliable estimate as to the qualities of the men in line for such an appointment, and as they are to have most to do with the new incumbent, are rightfully entitled to speak first in the important premise.

With the essential expansion of the country and the accumulation of legal issues inseparable therefrom, it is indispensable that the second judge here shall be equipped to meet it all and deal with it thoroughly and effectively from the instant he takes his seat. We are championing no man, nor fighting any man; we are asking simply that the best interests of this people be conserved by the appointment of a trained and able lawyer to the most important place in the district of four counties, and that the Governor see to it that his appointee's capacity for the place is properly avouched.

OBEEDIENCE VS. ORDINANCE.

In the course of the campaign for a general "up-lift" in this city, no session of the Council is allowed to pass these days without the introduction of one or more reformatory ordinances, drawn for the purpose of purifying and bettering moral conditions hereabout. Theoretically this is all right; practically, it does not amount to "tinker's damn," whatever that it.

We have ordinances by the hundred and law enough to gag judge, jury, and bar: What we need far more than new ordinances is a spirit of obedience and the decent citizenship that makes every civic provision a rule of action and a means to the end of municipal honor and well being.

We are pretty near that pass when our respect for the law stops with our dealing and contact with the Federal statute: Anything below that affords a fighting chance to beat and deny our responsibility. We are everlast-

ingly on the qui vive to meet all our engagements with Uncle Sam because he is no respecter of persons and slams us into jails and divests us of our dear dollars, without batting his autocratic eye, and does it every time. It won't do to fool with a law that is prosecuted and a punishment that is put in operation; therefore we obey his laws to the last letter of them and are glad to do it; while we stand on our toes and snap our fingers in the face of the lesser courts, because, forsooth, they are close to us and are of our own creation and within touch of the influences we can bring to bear, politically, socially, and legally.

The question of citizenship is the last to be invoked in a municipality; its time comes when the citizen gets it good and hard from some court. (as does, infrequently, happen) then the quality is made the most of in a retrospective way and every appeal for leniency is based upon it; it becomes the cornerstone of our reliance for escape and immunity.

Being given, naturally, to the negation and nullification of the law in minor fields, our only hope lies in the revival of the punitive stress of the laws and its compulsory claims on popular respect. Respect comes with punishment, and obedience with the realization that the law is stronger than we are. We need no more ordinances. Our howling want is the enforcement of those we have and the unremitting punishment that goes with them. There are quite enough barren laws on the books as it is. Amend some of them if they need it; but enforce all of them, fully and regularly.

MORNING ASTORIAN'S CASE.

The following terse and righteous expression, recently made by Justice Guy, of New York, is respectfully referred to the home knockers who think we are a bit strenuous in some of the plain deals we have made lately. Read it you good people and try to understand just what a newspaper is for:

"The law jealously guards the good repute of all persons in their private character and in their business or profession, unless by their general private conduct or by the character of the business or profession in which they are engaged they have themselves forfeited such good repute. But the law is not engaged in the rehabilitation of reputations, or in throwing the mantle of respectability and good repute around those who deliberately engage in practices in violation of law and follow pursuits which are subversive of decency and good morals."

"The defendant was engaged in the publication of a newspaper not merely for the dissemination of news, but with the additional purpose of upholding a high standard of public decency and morals in the community, and it was not merely its right, but its duty, in connection with a public and official proceedings of the kind in question, to publish truthfully so much of the facts as with decency it could publish, so that even if the machinery of the criminal law proved inadequate to reach malefactors of this class, who traffic for gain in human life and health and seek to promote immoral practices, they might be held

up to public scorn and contempt. "While newspapers should be held to strict and severe accountability for unjustifiable and untruthful assaults upon private character, or upon business standing and credit, they deserve not punishment and rebuke, but public approval and commendation where, as in this instance, they truthfully, and in strict conformity to the facts, call public attention to those who are engaged in nefarious practices, injurious to the public welfare."

WING SHOTS.

"Lucky" Baldwin, the California octogenarian sport, lived up to his title to the very last moment, but no man was ever lucky enough to cheat the all enveloping shadow of Death, except the "Wandering Jew" and a few more myths of that sort.

The law of the land will get an airing in the Federal court at Portland with forty lawyers blowing hot and cold upon it, in the Government suit to recover the forfeited land grants of the Oregon & California Railway.

Astoria, like all cities, sees most of her ordinances "honored in the breach." Luckily, her circuit court has a record that runs a line of punishment parallel with the line of breach.

Watch your nerves. Nerves produce brain-storms and brain-storms beget murder; at least this is the Chicago system.

Governor Benson has more official latitude than any Governor in the Union. He is Secretary of State, and the genuine Poo Bah of all the State commissions. He is a full-fledged two-thirds of the government: Happily, he is level headed and knows the exact weight of his responsibilities in each department and will dispose them all as becomes a man so completely trusted.

DO NOT HESITATE

IN FIVE MINUTES YOU WILL BE RID OF STOMACH MISERY

NO DANGER OF DYSPEPSIA

Your Druggist Has a Pleasant Tasting Preparation Called Diapepsin Which Cures You Before You Realize It—Rid Yourself of Stomach Trouble Forever.

Some people think they have indigestion, others Catarrh of the Stomach, others Nervousness, Cancer or Dyspepsia, etc. Call it this if you will, but the real name for your trouble is Food Fermentation, with only partial digestion. Everything you eat turns to either Acid, Stomach gas or Stomach poison, which weakens the digestive organs, causing a lack of gastric juice. Your food sours, is only half digested, and you become affected with loss of appetite, pressure and fullness after eating, burning sensation, a feeling of vomiting, heartburn, water brash and tenderness in the pit of the stomach, slimy tongue, bad taste in the mouth, constipation, nausea, belching of gas, dizziness, sick headaches mental depression and many other common symptoms.

You can cure all this by not eating, by not putting any food in your stomach to ferment; but how about the nourishment needed to sustain your bodily strength? If you are a stomach sufferer, either man or woman, young or old, whether you call it Indigestion or any other name, go now to your druggist and give 50 cents for a case of Pape's Diapepsin. Every possible kind of Stomach trouble is readily cured by Diapepsin, which takes right hold of the food in your stomach and digests it alone, without the help of the stomach, just as if your stomach wasn't there.

After a few days' use of Diapepsin your Stomach will again be in good working order, your meals will thoroughly digest and your intestines will be clean and fresh, and you will have no use for laxatives or liver regulators.

SURUGA RE-FLOATED.

MANILA, March 2—The British steamer Suruga, of the Barber line, which went ashore on the breakwater here Sunday, while it was inbound from Hong Kong to take on a cargo in this city for New York, has been re-floated. Permission has been sought from the naval authorities for the use of the naval drydock at Subig for repairing of the steamer.

HILL AND HARRIMAN IN RENEWED RIVALRY

THE PORTLAND-SEATTLE LINE FIRST INDICATION OF NEW IMPETUS IN THE FIELD

CHICAGO, March 2—The Tribune today prints the following news article:

"Recent reports from Portland, Ore., that the rivalry between E. H. Harriman and J. H. Hill for the traffic of the Puget Sound district was about to assume the form of an active campaign by the beginning of construction on Harriman's proposed line from Portland to Seattle have now received semi-official confirmation. A new map of the Harriman lines in the Northwest, which has just been issued, indicates that the project to parallel the Northern Pacific under the name of the Oregon & Washington Railroad, which has been talked of for several years is about to be realized.

"It was learned yesterday however, that the plan has been changed to the extent that the road is to be built from Portland north only as far as Tacoma instead of through to Seattle and that the Union Pacific has reached an agreement with the Chicago, Milwaukee & St. Paul Railway whereby the new line of the Pacific Coast extension is to be used from Tacoma instead of through to Seattle.

It is reported that actual construction is to be started within a few weeks.

"The Harriman lines have long sought an entrance to Seattle from the South, but have been blocked in their attempts to secure through ticketing or through routing facilities by the refusal of the Northern Pacific to participate. The latter has insisted on keeping the long haul from the east to Seattle for itself. The question of whether the Northern Pacific shall be compelled to open the Portland gateway is now pending before the Interstate Commerce Commission but Harriman would derive many manifold advantages from having his own rails through Portland, regardless of the commission's decision in this case.

"Harriman's efforts to extend his lines into Washington are said to be in a large measure in retaliation for Hill's invasion of the Oregon territory with the Portland, Spokane and Seattle road, which is soon to be opened for traffic. The Portland-Seattle line is only a part of his plan for the development of the Northwest, however, as lines have already been surveyed and probably will soon be started to complete the new Shasta route from Klamath Falls to the main line at Natron, Ore., and for the proposed routes across Central Oregon and along the Deschutes river."

For Sale.

Cigar store; one of the best locations in the city. Address "K," Astorian office.

SPOKANE WILL CELEBRATE.

SPOKANE, March 2—The Spokane Merchants' Association are planning a great celebration in honor of the freight rate decision as announced by the Interstate Commerce Commission today. The decision is expected to add a vast territory to Spokane's jobbing field.

ASTHMA VANISHES.

So Does Catarrh, Croup, Hay Fever and Bronchitis.

Hyomei is a confidence creator. The first time you breathe in this powerful yet soothing, antiseptic air, you will know that it has marvelous curative virtues. There is nothing disagreeable about Hyomei. It is a very pleasant and prompt remedy for catarrh, colds, asthma, croup, Bronchitis, etc.

If your head is so stuffed with mucus that you cannot breathe a particle of air through your nostrils, Hyomei will open them up and give relief in five minutes.

Why will sensible people suffer longer, why will they wheeze and hawk and spit and sneeze, when T. F. Laurin will guarantee Hyomei to cure or money back. \$1.00 is all T. F. Laurin asks for a complete outfit.

"I have used Hyomei for hay fever, and can pronounce it the best relief for this trouble that I ever tried or heard of. I have had this malady for years, and have doctored and used many remedies, but Hyomei is far ahead of any of the others, and has my hearty endorsement."—Mrs. M. M. S. Martin, Cassopolis, Mich.

Save Sickness

The prompt and sure relief given in acute stomach, bowel and liver complaints, has created an annual sale of over six million boxes of

BEECHAM'S PILLS

Sold Everywhere. In boxes 10c and 25c.

AMUSEMENTS.

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THE BOYS OF COMPANY B

ORIGINAL N. Y. PRODUCTION.

A comedy of New York National Guard Life, by Rida Johnson Young, and as presented at Lyceum Theatre, New York City, an entire season. A college-military play.

Prices: \$1.50, \$1.00, 75c, 50c, 25c. Carriage at 11 p. m. Full of music, youth life and vigor.

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My stock of men's and boy's shoes is unsurpassed for quality. Close buying and low expenses enable me to sell the best qualities at lowest prices.

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Gold Crowns, 22-k.....\$5.00

Bridgework 22-k.....\$5.00

Gold Filling.....\$1.50 up

Enamel Filling.....\$1.50

Silver Filling.....50c, \$1.00

Best Plates.....\$1.00

Painless Extraction.....50c

Lady attendance. Office hours 8:30 a. m. to 6 p. m., Sunday 10 a. m. to 12 m. Evening work by appointment.

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Cures Biliousness, Sick Headache, Sour Stomach, Torpid Liver and Chronic Constipation. Pleasant to take

Direct from Norway another shipment of CHRISTIAN Bock Beer \$2.00 per doz.

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